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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,594	09/12/2003	William H. Allen	P23906	7496
7055 7590 09/12/2007 GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			EXAMINER DEANE JR, WILLIAM J	
			ART UNIT 2614	PAPER NUMBER
			NOTIFICATION DATE 09/12/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/660,594

Applicant(s)

ALLEN ET AL.

Examiner

William J. Deane

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,884,193 (Kaplan) in view of Kramer (Convergence Communications, March 6, 2001).

Kaplan teaches a custom routing service platform that uses a routing service based on service data, the service data identifying a restriction associated with a customer and a service provider (see Col. 1, line 63 – Col. 2, line 8; Col. 3, lines 35 – 45 and Col. 4, lines 5 – 14). Also note Col. 44 – 55, Col. 7, lines 44 – 67, Col. 4, line 65 – Col. 5, line 2 and Col. 5, lines 2 – 10. In addition, note Fig. 2 and 4b. What Kaplan does not teach is obtaining instructions from the customer through a packet switched data network. However Kramer teaches storing call data and reporting such data to a secure Web site or GUI (see page 1, paragraph 2 and page 2, paragraph 1). It is noted that it is well known in the art that customers can access their records and give instructions over the Internet.

Claim 2 – 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaplan an Kramer and further in view in view of U.S. Patent No. 5,892,822 (Gottlieb et al.).

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Kaplan and Kramer do not specifically teach the type of data such as originating or destination country and country code, but Gottlieb et al. teach that such is known in the art (see Col. 5, lines 15 – 20). It would have been obvious to one of ordinary skill in the art to use such type of data, as this is how things are done.

With respect claim 5, such is inherent.

With respect to claim 6 and the database, note claim 2 of Gottlieb et al.

With respect to claim 8, note abstract of Gottlieb.

With respect to claim 9, IVR and presenting a script to a user based on predetermined conditions is well known in the art.

With respect to claim 10, POTS is well known in the art

With respect to claim 11, note claim s 5 and 7 of Gottlieb et al.

Claims 12 – 14 mirror the claims above and would be rejected similarly.

With respect to claims 15 – 16, note Fig. 3 of Gottlieb et al.

With respect to claim 17, note Col. 11, lines 5 – 11.

Claims 18 – 22, mirror the claims above and would be rejected accordingly.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Note the Abstracts and Figs of the following references contained on the accompanying 892.


U.S. Patent No. 6,052,457 (Abdelaal);

U.S. Patent No. 6,819,933 (Tirabassi et al.); and WO 97/44943 (Suominen).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bill Deane whose telephone number is (571) 272-7484. In addition, facsimile transmissions should be directed to Bill Deane at facsimile number (571) 273-8300.

25Aug2007


WILLIAM J. DEANE, JR.
PRIMARY EXAMINER